

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his )  
capacity as ATTORNEY GENERAL )  
OF THE STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT,) )  
in his capacity as the )  
TRUSTEE FOR NATURAL RESOURCES) )  
FOR THE STATE OF OKLAHOMA, )

Plaintiff, )

vs. )

4:05-CV-00329-TCK-SAJ

TYSON FOODS, INC., et al, )

Defendants. )

THE DEPOSITION OF STEVE

BUTLER, produced as a witness on behalf of the  
Plaintiff in the above styled and numbered cause,  
taken on the 26th day of April, 2007, in the City of  
West Siloam Springs, County of Delaware, State of  
Oklahoma, before me, Lisa A. Steinmeyer, a Certified  
Shorthand Reporter, duly certified under and by  
virtue of the laws of the State of Oklahoma.

1 Q You grow poultry for which company?

2 A Tyson Foods.

3 Q Do you grow poultry as an individual, in your  
4 name individually for Tyson Foods?

5 A I do in Arkansas doing business as Lost Acres 09:11AM  
6 Farms.

7 Q I'm familiar with that. We'll talk about that  
8 later. So to the extent that you do, did you look  
9 for and obtain documents relative to your growing  
10 operation as Steve Butler doing business as Lost 09:11AM  
11 Acres Farms?

12 A I did not.

13 Q So those documents have not been produced at  
14 all; is that correct?

15 A No, sir. 09:11AM

16 Q It is correct that you didn't produce them?

17 A That is correct. I was not -- I understood it  
18 to be the Oklahoma farms and Green Country.

19 Q Now that we know that, that will be helpful in  
20 some of the questions I have to ask for you. So 09:11AM

21 with regard to Green Country, are those -- is Green  
22 Country operated solely in Oklahoma, Green

23 Country -- let me back up. When I refer to Green

24 Country today, we'll be referring to the LLC Green

25 Country Farms; will you understand that? 09:12AM

1 might get paid; is that a fair statement?

2 A You bet, that's right.

3 Q So when you lose birds as you do, and we're  
4 talking several tons like we're seeing here in this  
5 Exhibit 15, you don't take a loss on your Schedule C  
6 or your income tax return for the loss of that bird,  
7 do you?

01:28PM

8 A No. I don't own the bird.

9 Q Except that you --

10 A I take a loss on the disposal, yes, I guess.

01:28PM

11 Q You have to pay for the disposal, don't you?

12 A Yeah.

13 Q But the bird wasn't yours before it died; it's  
14 Tyson's, isn't it?

15 A Yes.

01:29PM

16 Q But you're responsible for disposing of that  
17 bird when it dies?

18 A Yes, that's correct.

19 Q And as we sit here, the cost of it?

20 A That's correct. That's in the contract I  
21 signed with them that we would do it that way.

01:29PM

22 Q I've seen the contracts. I'm just trying to  
23 clarify it. Let's change subjects here real quick.  
24 Do you belong to any kind of associations that are  
25 dedicated to poultry growers?

01:29PM

1 A To poultry growers?

2 Q Yeah.

3 A Yes, sir.

4 Q What is that association?

5 A Poultry Partners.

01:29PM

6 Q Are there any others that you are a member of?

7 A Not to my knowledge.

8 Q Okay. I'm just trying to find whether or not

9 you had any support groups that poultry growers

10 might be associated with that would have meetings

01:29PM

11 and share tips and hints and that sort of thing on

12 growing or day-to-day operations.

13 A There are symposiums put on by different

14 people, different groups from time to time that we

15 have the opportunity to go to --

01:30PM

16 Q But it's not --

17 A -- that gives tips and points, but as far as a

18 regular scheduled organization, no.

19 Q There's not like a rotary club for poultry

20 growers that you all get together and talk about

01:30PM

21 what is going on, is there?

22 A No.

23 Q You said earlier today that you were -- when

24 you were a service tech for Simmons, you managed a

25 company-owned farm. Did I understand that correct?

01:30PM